

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

United States of America,
Plaintiff

Case No. 11-11320
Hon. Patrick J. Duggan

-v-

Michael Kerby,
Defendant

ORDER PERMITTING SERVICE OF PROCESS BY SUBSTITUTED MEANS

The plaintiff has filed a petition for an order permitting substituted service of process and an affidavit by a process server reciting the unsuccessful attempts at service of the summons and compliant. The court finds that service of process cannot reasonably be made in a manner set forth under Michigan law, and that the substitute means requested reasonably are calculated to give the defendant actual notice of the proceedings and an opportunity to be heard. See Fed. R. Civ. P. 4(e)(1); Mich. Ct. R. 2.105(l)(1).

Accordingly, it is ORDERED that the plaintiff's petition for order permitting substitute service of process [dkt # 5] is GRANTED.

It is ORDERED that the plaintiff may serve the defendant, Michael Kerby, with the summons and a copy of the complaint by:

- (A) Posting a copy thereof, along with a copy of this petition and order for substituted service of process, at the defendant's residence at: 303 Four Seasons Drive, Lake Orion, Michigan 48360;

(B) Mailing a copy of the same by certified mail (return receipt requested)

to the defendant's residence noted above; and

(C) Mailing a copy of the same by first class mail to the defendant's

residence noted above

The plaintiff shall file a certificate confirming service as provided herein.

s/Patrick J. Duggan

Patrick J. Duggan

United States District Judge

I hereby certify that a copy of the foregoing document was served upon counsel of record on Thursday, August 18, 2011, by electronic and or ordinary mail.

s/Marilyn Orem

Case Manager

Dated: August 18, 2011